

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

OTIS JACKSON, JR.,)	
Plaintiff,)	
)	
v.)	
)	No. 2:12-cv-02914-JPM-cgc
WMC MORTGAGE CORPORATION, et)	
al.,)	
)	
Defendants.)	

**ORDER ADOPTING THE REPORT AND RECOMMENDATION ON DEFENDANT WMC
MORTGAGE, LLC'S MOTION TO DISMISS OR, IN THE ALTERNATIVE, MOTION
FOR SUMMARY JUDGMENT
AND
ORDER GRANTING WMC MORTGAGE, LLC'S MOTION TO DISMISS**

Before the Court is the Magistrate Judge's Report and Recommendation on Defendant WMC Mortgage, LLC's ("WMC") Motion to Dismiss or, in the Alternative, Motion for Summary Judgment (the "Report and Recommendation"), filed February 5, 2014. (ECF No. 52.) In the Report and Recommendation, the Magistrate Judge recommends "that WMC's Motion to Dismiss [(ECF No. 41)] be GRANTED." (ECF No. 52 at 8 (footnote omitted).)

Pursuant to Federal Rule of Civil Procedure 72(b)(2), "[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). No objections to the Report and Recommendation have been filed, and the time for

filing objections has expired. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2).

"When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Fed. R. Civ. P. 72(b) advisory committee notes; accord Higgins v. Shinseki, No. 2:11-2728-JPM-dkv, 2013 WL 1966590, at *1 (W.D. Tenn. May 10, 2013) (McCalla, J.). On clear-error review of the Magistrate Judge's Report and Recommendation, the Court hereby ADOPTS the Report and Recommendation (ECF No. 52) in its entirety.

Accordingly, WMC's Motion to Dismiss (ECF No. 41) is GRANTED¹ and Plaintiff's Complaint (ECF No. 1) as to WMC is DISMISSED WITH PREJUDICE.²

IT IS SO ORDERED, this 3rd day of March, 2014.

/s/ Jon P. McCalla
JON P. MCCALLA
U.S. DISTRICT COURT JUDGE

¹ Because the Court grants WMC's Motion to Dismiss under Federal Rule of Civil Procedure 12(b)(6), it is unnecessary for the Court to examine WMC's alternative Motion for Summary Judgment under Federal Rule of Civil Procedure 56.

² Having terminated WMC from this action, the Court finds that there are no remaining Defendants against which Plaintiff has asserted claims. The case is, therefore, adjudicated. The Court will enter a corresponding Judgment.